



Planning & Development Department Department Directive



DD Number:	DD-2001-16	Initiator:	Thomas F. Ewers
Supersedes:	Not Applicable	Manager:	Thomas F. Ewers TE
Date Initiated:	05/21/2001	Director:	Joy Rich JR
Effective Date:	07/10/2001	Responsible Authority:	P&D - Department-wide

PURPOSE: To define and determine procedures for subdivisions, replats and lot splits.

REFERENCE:

1. Maricopa County Subdivision Regulations (and A.R.S. Section 32-2101.54) define a Subdivision as Subdivision (or subdivided lands): Improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into **six or more lots**, parcels or fractional interests. This paragraph shall not apply to leasehold offerings of one year or less, or to the division or proposed division of land located in the State of Arizona into lots or parcels each of which is or will be thirty-six acres or more in area including to the center line of dedicated roads or easements, if any, contiguous to the lot or parcel. This definition shall not be deemed to include the leasing of agricultural lands, or of apartments, offices, stores, hotels, motels, pads or similar space within an apartment building, rental recreational vehicle community, rental manufactured home community, rental mobile home park or commercial building, except that residential condominiums as defined in Arizona Revised Statutes, Title 33, Chapter 9 shall be included in this definition. This definition shall not include the subdivision into or development of parcels, plots, or fractional portions within the boundaries of a cemetery that has been formed and approved pursuant to State Statutes.
2. Maricopa County Subdivision Regulations define Minor Land Division as: Minor Land Division: Improved or unimproved lands which are divided or proposed to be divided for purposes of sale or lease, whether immediate or future, into **five or fewer lots** or parcels all of which have or will have a gross area less than thirty-six acres, measured to the center line of contiguous roads and easements, including residential condominiums as defined in Arizona Revised Statutes, Title 33, Chapter 9. This definition shall not include the financing or leasing of apartments, offices, stores or similar space within apartment buildings, industrial buildings, commercial buildings; mobile home parks or trailer parks; land dedicated for cemetery purposes; or parcels leased or sold for agricultural purposes pursuant to Section 11-830, Arizona Revised Statutes.
3. Maricopa County Subdivision Regulations, Section 204 Replats states: Any division of a lot or lots in a recorded subdivision into **four or more adjoining lots** in a recorded subdivision, but creating no new street, shall be processed in accordance with Section 203 (Final Plats) of these Regulations.
4. The effective date for Maricopa County Subdivision Regulations was March 1, 1973.

POLICY/PROCEDURE:

1. **Subdivision** of land into **six or more** parcels must be done in accordance with all requirements of the Maricopa County Subdivision Regulations.
2. **Minor Land Division (Lot Split)** of land into **five or fewer** parcels may be done without

meeting the requirements of the Maricopa County Subdivision Regulations but must be done by proper deeds and must comply with Maricopa County Zoning Ordinance and Arizona Revised Statutes.

3. **The creation of four or more adjoining lots** in subdivisions signed and approved by the Board of Supervisors and recorded after **March 1, 1973**, must comply with Section 204 of the Maricopa County Subdivision Regulations. **The creation of three or fewer adjoining lots** may be accomplished as a Minor Land Division.
4. When reviewing site plans staff will check Zoning and Assessor's records. If evidence exists of a violation of Maricopa County Regulations then no Zoning approval shall be granted. If there is evidence of a violation of Arizona Revised Statutes then Code Enforcement shall be notified by email and no Zoning approval shall be granted unless the applicant can provide written correspondence from the State of Arizona Dept. of Real Estate indicating that the lot split is allowed by law.